

APPENDIX K

ACTIONS TO AFFIRMATIVELY FURTHER FAIR HOUSING

This section provides a summary of the City of Seattle's Analysis of Impediments to Fair Housing Choice (AI). Copies of the final report are available through the Seattle Office of Housing (OH). Seattle's AI was conducted and prepared by the Fair Housing Center of South Puget Sound (FHCSPS) in 2003, on behalf of and in cooperation with the City of Seattle.

Equal and free access to residential housing (housing choice) is fundamental to meeting essential needs and pursuing personal, educational, employment, or other goals (*HUD Fair Housing Planning Guide*, p. 2-8). The AI considers a number of factors in order to assess fair housing choice in Seattle, including:

- An analysis of demographic, income, housing, and employment data;
- An evaluation of fair housing complaints filed with enforcement agencies;
- A review of sale and rental market practices, including brokerage and financing markets;
- A review of public policies and administrative policies for housing and community development activities that affect housing choice for protected classes; and
- An assessment of current fair housing resources in Seattle.

Assessment of City of Seattle Fair Housing Activities

The City of Seattle's commitment to fair housing has been actualized through its fair housing enforcement program, extensive education and outreach efforts and public policies that encourage the development of affordable housing. The following is a list of current fair housing efforts undertaken by the City of Seattle, as identified in the AI:

- In addition to the protected classes covered by the federal Fair Housing Act, Seattle's Open Housing and Public Accommodation Ordinance (Open Housing Ordinance) provides greater protections than any similar ordinance in the State by including sexual orientation, gender identity, marital status, age, possession or use of a Section 8 voucher, ancestry and political ideology as prohibited grounds for discrimination.
- The Seattle Office for Civil Rights (OCR) has been certified as a substantially equivalent fair housing enforcement agency under HUD's Fair Housing Assistance Program (FHAP). As a designated FHAP agency, OCR investigates complaints filed with OCR and HUD under the Fair Housing Act. Additionally, OCR also investigates complaints from protected classes specifically covered under Seattle's Open Housing Ordinance.
- Since 1999, the City of Seattle has demonstrated a unique and nearly unparalleled commitment to funding rental housing testing throughout the City. Testing was conducted by the FHCSPS to measure the incidence of discriminatory housing practices impacting the protected classes, including families with children, African-American, Cambodian, Middle-Eastern and Hispanic households.

- OCR's investigation and enforcement program made possible \$178,602 in monetary relief for victims of discrimination since 1998 via its investigation of complaints. These complaints were primarily based upon race, disability, national origin and familial status.
- OCR has maintained a commitment to ensuring that new immigrants have translated documents and training to assist them with understanding fair housing laws and complaint filing. Documents have been translated into Spanish, Chinese, Vietnamese, Cambodian, Amharic, Tigrinya, Oromiffa, Somali, Russian and Korean.
- OCR has been a leader in its partnerships with fair housing groups and organizations that serve clients represented by protected classes.
- Seattle has taken the lead in convening a coalition of organizations to address predatory lending.
- Citizen support of the Housing Levy enables OH to provide increased affordable housing to low-income individuals and families, which include a high percentage of new immigrants, persons of color, persons with disabilities, and families with children.

Impediments to Fair Housing Choice in Seattle

The AI concludes that, although the City of Seattle has surpassed the efforts of many other entitlement jurisdictions in addressing impediments to fair housing choice, several areas need further focus.

1. Families and children continue to encounter restrictive occupancy policies, and African Americans and immigrants are more likely to encounter differential treatment in their housing search. In addition, though Seattle's Open Housing Ordinance protects participants in the Section 8 voucher program from discrimination solely because of their Section 8 status, evidence indicates landlord reluctance to consider Section 8 applicants.
2. Victims of discrimination are hesitant to file complaints and service providers lack knowledge of proper referral sources. Public comments indicate that potential complainants may be reluctant to file fair housing claims because they lack familiarity with, knowledge of, and comfort with enforcement options.
3. Protected classes are impeded by unfair lending practices. Hispanics and African Americans have the highest rates of denial for conventional, refinance and home improvement loans. Predatory lending continues to disproportionately impact people of color, immigrants, seniors and low-income households.

Recommendations for Action

Recommendations for addressing impediments to fair housing include continuing or expanding current fair housing activities:

1. Expand current education and outreach efforts

To alleviate the decline in enforcement filings, FHCSPP recommended that the City of Seattle continue to expand fair housing education and outreach initiatives. Goals include:

- Develop ongoing education programs and materials for agencies and staff who serve protected classes, especially immigrants, families and people of color;
- Continue and expand fair housing education for protected classes;
- Focus education and outreach efforts on apartment complexes in zip codes 98101, 98102, 98104, 98106, 98109, 98121, 98122, 98125 and 98133;
- Promote visible display of the required fair housing poster plus information on protections under the Open Housing Ordinance;
- Continue and expand fair housing education for housing providers to address specific impediments identified in the course of testing;
- Continue efforts to educate immigrant populations and their service providers about fair housing;
- Improve the visibility and accessibility of fair housing resources currently maintained by the City on the internet;
- Work with the Seattle Housing Authority to consider opportunities to educate landlords about the Section 8 voucher program and the protections afforded under the Open Housing Ordinance;
- Consider surveying a statistically significant sample of stakeholders to better measure and target education efforts; and
- Continue and expand the dissemination of successful enforcement outcomes resulting from cause findings and settlements.

2. Continue ongoing enforcement initiatives

Testing activities funded by the City demonstrate that protected classes continue to encounter discrimination when seeking housing. To alleviate such impediments and to measure progress in correcting discrimination, it is recommended that the City:

- Continue to utilize testing and consider testing for discrimination among other protected classes, especially persons with Section 8 vouchers and persons with disabilities;
- Utilize testing results to inform education and outreach efforts;
- Conduct sales or mortgage lending testing for national origin and race based on Home Mortgage Disclosure Act (HMDA) data;

- Enforce fair housing laws through complaints and testing via investigation and publishing of findings.

3. Continue fair lending initiatives

In addition to ongoing initiatives to produce and preserve affordable housing in Seattle, it is recommended that the City:

- Continue the campaign against predatory lending;
- In consultation with partners in the campaign against predatory lending, consider opportunities for addressing the high mortgage denial rates encountered by people of color via marketing and compilation of data specific to individual first-time homebuyer programs;
- Consider tracking participation in the City's Homebuyer Assistance Program by protected classes.

OCR and OH are continuing to refine work program activities in order to implement recommendations identified in the AI report.